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BANCORPORATION, N.A., dba  
California Bank & Trust

**UNITED STATES BANKRUPTCY COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
**SAN JOSE DIVISION**

In re  
EVANDER FRANK KANE,  
Debtor.

Case No. 21-50028-SLJ  
Chapter 7  
Ninth Circuit BAP No. NC-21-1167

EVANDER FRANK KANE,  
Appellant,  
v.  
ZIONS BANCORPORATION, N.A., dba  
California Bank & Trust, et al.  
Appellees.

**APPELLEE ZIONS BANCORPORATION,  
N.A.'S STATEMENT OF ELECTION TO  
PROCEED IN THE UNITED STATES  
DISTRICT COURT ON APPEAL**  
Notice of Appeal Filed: 7/23/2021

1 **TO ALL INTERESTED PARTIES:**

2 **PLEASE TAKE NOTICE** that Evander Frank Kane (“Kane”) filed a Notice of Appeal  
3 and Statement of Election (Dkt. 182) on July 23, 2021, appealing the Bankruptcy Court’s *Order*  
4 *On Zions Bancorporation’s Objection To Debtor’s Homestead Exemption* (Dkt. 178), and electing  
5 to proceed before the Bankruptcy Appellate Panel for the Ninth Circuit.

6 **PLEASE TAKE FURTHER NOTICE** that (a) this appeal is pending in a district served  
7 by a Bankruptcy Appellate Panel, and (b) no other appellee has filed a statement of election to  
8 proceed in the United States District Court.

9 **PLEASE TAKE FURTHER NOTICE** that, pursuant to Rule 8005 of the Federal Rules  
10 of Bankruptcy Procedure and 28 U.S.C. § 158(c)(1), Appellee Zions Bancorporation, N.A., a  
11 creditor in Kane’s underlying chapter 7 bankruptcy case, hereby elects to have this appeal heard  
12 by the United States District Court, rather than by the Bankruptcy Appellate Panel.

13  
14 DATED: August 19, 2021

FRANDZEL ROBINS BLOOM & CSATO, L.C.  
MICHAEL GERARD FLETCHER  
GERRICK M. WARRINGTON

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16  
17 By: /s/ Michael Gerard Fletcher  
18 MICHAEL GERARD FLETCHER  
19 Attorneys for Appellee ZIONS  
20 BANCORPORATION, N.A., dba  
21 California Bank & Trust  
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**CERTIFICATE OF SERVICE**

I, the undersigned, declare and certify as follows:

I am over the age of eighteen years, not a party to the within action and employed in the County of Los Angeles, State of California. I am employed in the office of Frandzel Robins Bloom & Csato, L.C., members of the Bar of the above-entitled Court, and I made the service referred to below at their direction. My business address is 1000 Wilshire Boulevard, Nineteenth Floor, Los Angeles, CA 90017-2427.

On August 19, 2021, I served true copy(ies) of the:

**APPELLEE ZIONS BANCORPORATION, N.A.'S STATEMENT OF ELECTION  
TO PROCEED IN THE UNITED STATES DISTRICT COURT ON APPEAL**

to the party(ies) on the attached service list.

**SEE ATTACHED SERVICE LIST**

☒ **BY CM/ECF NOTICE OF ELECTRONIC FILING:** I electronically filed the document(s) with the Clerk of the Court by using the CM/ECF system. Participants in the case who are registered CM/ECF users will be served by the CM/ECF system. Participants in the case who are not registered CM/ECF users will be served by mail or by other means permitted by the court rules.

I declare under penalty of perjury under the laws of the State of California and the United States of America that the foregoing is true and correct.

Executed on August 19, 2021, at Los Angeles, California.

/s/ David T. Moore  
\_\_\_\_\_  
David T. Moore  
dmoore@frandzel.com

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I am over the age of eighteen years, not a party to the within action and employed in the County of Los Angeles, State of California. I am employed in the office of Frandzel Robins Bloom & Csato, L.C., members of the Bar of the above-entitled Court, and I made the service referred to below at their direction. My business address is 1000 Wilshire Boulevard, Nineteenth Floor, Los Angeles, CA 90017-2427.

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☒ **BY MAIL:** I placed the envelope for collection and mailing at Los Angeles, California. The envelope was mailed with postage fully prepaid. I am readily familiar with this firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. postal service on that same day with postage thereon fully prepaid at Los Angeles, California, in the ordinary course of business. I am aware that on motion of party served, service is presumed invalid if postal cancellation date or postage meter date is more than 1 day after date of deposit for mailing in affidavit.

I declare under penalty of perjury under the laws of the State of California and the United States of America that the foregoing is true and correct.

Executed on August 19, 2021, at Los Angeles, California.

/s/ Michelle Campbell  
\_\_\_\_\_  
Michelle Campbell  
mcampbell@frandzel.com

**SERVICE LIST**

**(Kane v. Zions Bancorporation, N.A.) In re Evander Frank Kane**

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